

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

SPECTRUM WT, *et al.*,

Plaintiffs,

v.

2:23-CV-048-Z

WALTER WENDLER, *et al.*,

Defendants.

**EXPEDITED BRIEFING ORDER**

Before the Court is Defendants' Priority Motion to Dismiss for Lack of Subject Matter Jurisdiction ("Motion"), filed September 5, 2025. ECF No. 106. In their Motion, Defendants ask the Court to dismiss "(a) the remaining claims of Plaintiffs Barrett Bright and Lauren Stovall in this action and (b) this action as to all parties and claims, for mootness, lack of standing, lack of ripeness, and lack of subject matter jurisdiction." *Id.* at 6.

The Court will not issue an order at this time. Nor will the Court cancel the Status Conference. The Court expects both parties to appear at **10:00 a.m. (CDT) on September 10, 2025**, in the First Floor Courtroom at the J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse, 205 East Fifth Street, Amarillo, Texas 79101. The Court expects the parties to be ready to discuss the issues from the Court's Order dated August 27, 2025. As a reminder, those issues are:

- WT and Texas A&M System rules, regulations, policies, customs, and practices relevant to Legacy Hall's use by registered student organizations, invitees of registered student organizations, and the general public.

- The application of WT and Texas A&M System rules, regulations, policies, customs, and practices vis-à-vis approval or denial of Facility Use Requests specific to Legacy Hall.
- Relevant to facility use generally and Legacy Hall specifically, WT and Texas A&M System rules, regulations, policies, customs, and practices specific to “sexualized” material or content.
- Any intervening legislation or jurisprudence regarding Defendants’ authority to exclude minors from sexualized material or content—including “accessing content that is obscene only to minors.” *See, e.g., Free Speech Coal., Inc. v. Paxton*, 606 U.S. ----, 145 S. Ct. 2291, 2303–04 (2025); *United States v. Skrmetti*, 605 U.S. ----, 145 S. Ct. 1816 (2025); S.B. 12, 89th Leg. (Tex. 2025).

Plaintiffs are **ORDERED** to submit response briefing to Defendants’ Motion by no later than **Tuesday, September 9, 2025, at 5:00 p.m. (CDT)**. That response briefing shall not exceed fifteen double-spaced pages. At the Status Conference, the Court will provide time for the parties to discuss Defendants’ Motion.

**SO ORDERED.**

September 8, 2025



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MATTHEW J. KACSMARYK  
UNITED STATES DISTRICT JUDGE